

..... **COMMUNITY COUNCIL CONSTITUTION**

1. **NAME**

The name of the Community Council shall be
Community Council.

2. **AREA COVERED BY COMMUNITY COUNCIL**

..... Community Council shall be bounded
by

3. **AIMS OF THE COMMUNITY COUNCIL**

3.1 To enable local residents to work collectively for the good of their
Community to contribute to achieving the vision for the town

4. **OBJECTIVES OF THE COMMUNITY COUNCIL**

4.1 The objectives of the Community Council shall be:

- (a) to enable residents to meet regularly and receive reports from
Ward Councillors and where appropriate, representatives from
public, private and voluntary sector organisations on matters of
local importance
- (b) to be consulted and make recommendations where appropriate
on the delivery of services in their local area provided by
organisations operating within the Middlesbrough Partnership
and any other organisation working in their neighbourhood, and
- (c) to actively encourage the involvement of all members of the
local community in the work of the Community Council
- (d) to control the Community Council's grants budget
- (e) To become involved in any other projects that benefit their local
area, as the Community Council see fit
- (f) at the request of the Middlesbrough Partnership and its member
organisations, to recommend residents for appointments to
external bodies

4.2 Community Council activities must fall solely within the remit of the
objectives in section 4.1. Community Councils must not be used by any
of their members for personal or party-political purposes.

5. **MEMBERSHIP**

5.1 Membership shall be comprised as the following:

- (a) all residents residing in the area covered by 2 above
- (b) all ward Councillors for the area covered by 2 above

5.2 Anyone else who has an interest in the area can attend a Community Council meeting, but will not be allowed to take a vote.

5.3 All members of the Community Council must adhere to the Code of Conduct and Equality & Diversity Statement in all activities carried out by the Community Council.

6. **OFFICERS OF THE COMMUNITY COUNCIL**

6.1 The Officers of the Community Council shall be elected as follows:

- (a) Chair: A local resident or a ward Councillor for the area covered by 2 above, elected at the AGM of the Community Council
- (b) Vice Chair: A local resident or a ward Councillor for the area covered by 2 above, elected at the AGM of the Community Council
- (c) Secretary: A local resident or a ward Councillor for the area covered by 2 above, elected at the AGM of the Community Council
- (d) Treasurer: A local resident or a ward Councillor for the area covered by 2 above, elected at the AGM of the Community Council

6.2 Councillors cannot stand for office in more than one Community Council. Where elected Councillors do not live in the ward that they represent, they may stand for office in either the Community Council for the area that they live in, or the Community Council for the area that they represent as ward Councillor.

6.3 Middlesbrough Council will offer voluntary training to the Officers of the Community Councils to enable them to undertake their role.

6.4 In the event of an officer standing down, a replacement will be elected at the next Community Council meeting.

7. EXECUTIVE COMMITTEE

- 7.1 The day to day running of the Community Council if so determined by the full Community Council may be vested in an Executive Committee comprising of:
- (a) the Officers of the Community Council
 - (b) such residents as may be elected at the AGM of the Community Council and up to three co-opted members
- 7.2 The Executive Committee shall draw up the agenda for all meetings of the Community Council.
- 7.3 The Executive Committee shall have the power to call a special meeting of the Community Council if required.
- 7.4 The Executive Committee shall have the power in exceptional circumstances to make decisions on behalf of the Community Council. All such decisions must be ratified by the next full meeting of the Community Council.
- 7.5 If the Executive Committee is considering a matter in which any Executive Officer has a personal, financial or other interest, that person must declare that interest to the meeting. This should be done at the start of the consideration of the matter, or as soon as it becomes apparent that an issue in which the Executive Officer has a personal, financial or other interest is being considered. Whenever an Executive Officer has a personal, financial or other interest in the matter, they must not exercise any Executive functions.
- 7.6 It shall be the responsibility of the Secretary to ensure that the provisions contained herein relating to the calling of meetings etc are complied with and that proper minutes are taken of such meetings.
- 7.7 Ward Councillors for the Community Council area shall receive a standing invitation to attend Executive Committee meetings as an observer. The Councillor may contribute to the meeting with the agreement of the Chair.
- 7.8 If the Community Council determines that there will not be an executive committee, the day-to-day running will be the responsibility of the full Community Council.

8. GENERAL MEETINGS

8.1 General Procedures:

- (a) To meet a minimum of 4 times a year
- (b) An up-to-date mailing list will be kept by the secretary and posters giving notice of meetings must be displayed across the area covered by the Community Council
- (c) Any member may speak at a meeting, provided they speak through the Chair and can be asked to declare their name, address or organisation. Anyone who is not a member may speak if invited to do so by the chair
- (d) If the Community Council is considering a matter in which anyone attending the meeting has a personal, financial or other interest, that person must declare that interest to the meeting. This should be done at the start of the consideration of the matter, or as soon as it becomes apparent that an issue in which the person attending has a personal or prejudicial interest is being considered. The Chair can then take a decision on the level of involvement that that person can have in the discussion and any related proceedings
- (e) Agenda items for inclusion must normally be given to the Secretary ten (10) days in advance of the Executive Committee meeting
- (f) Notice of all meetings shall be placed in prominent local places at least one (1) week prior to the meeting
- (g) Items of Any Other Business not included on the agenda must be agreed with the Chair prior to the meeting
- (h) Where necessary, extracts from the Minutes shall be reported by the secretary of the Community Council to an appropriate Officer from organisations operating in the Middlesbrough Partnership
- (i) It shall be the responsibility of the Secretary to ensure that the provisions contained herein relating to the calling of meetings etc are complied with and that proper minutes are taken of such meetings
- (j) It is incumbent on the Secretaries of Community Councils to inform Middlesbrough Council of the timetable of meetings for the year ahead, to enable it to be widely advertised on the Council website

8.2 Voting procedures:

- (a) all decisions will normally be made by a consensus of members present at the meeting. Only members of the Community Council, as defined in section 5, are entitled to vote
- (b) if a vote is required it will be by a show of hands and recorded in the minutes
- (c) in the event of a tied vote the Chair shall have a second and final casting vote
- (d) The total number of votes taken on any issue, and the number recorded in favour or against each option, must be recorded in the minutes of the meeting

9. **ANNUAL GENERAL MEETING**

9.1 The Annual General Meeting (AGM) shall be held whenever possible in the month of either April, May or June and not less than Twenty One (21) days notice shall be given.

9.2 The AGM shall receive and comment upon the following:

- (a) The annual report on the last years activities
- (b) The accounts of the Community Council, with a minimum income and expenditure breakdown and final balance

9.3 The AGM shall elect the Officers and positions identified above.

10. **SPECIAL MEETINGS**

10.1 The Executive Committee shall have the power to call a Special Meeting of the Community Council if it is deemed necessary.

10.2 Not less than Seven (7) days notice shall be given of any Special Meeting.

10.3 If no Executive Committee exists a Special Meeting can be called at the request of 10 residents. The conduct of a Special Meeting shall be the same as 7.2 above.

11. **FINANCIAL MATTERS**

11.1 Middlesbrough Council will make a service payment available to each Community Council on an annual basis, subject to individual Community Council's agreement to comply with the provisions of this constitution. Payments will be made on an annual basis.

- 11.2 The total funds available for all service payments to Community Councils will be determined annually by Middlesbrough Council in its absolute discretion.
- 11.3 Each Community Council shall be responsible for the administration and expenditure of this budget.
- 11.4 The budget will be used for administrative costs, and for the “benefit of the community” residing within the area of the Community Council, where appropriate in line with the terms and conditions of grant aid.
- 11.5 The budget must not be used for political or personal gain, nor should it be used to purchase personal gifts.
- 11.6 The Community Council shall where possible ensure that the budget is fully spent each year.
- 11.7 The Community Council Treasurer will manage the budget directly through the establishment of a bank account; he/she will present a financial report to each meeting and prepare an annual report which details all income and expenditure.
- 11.8 The bank account will require two from three signatories to carry out transactions. These signatures will include the Chair, the Treasurer and one other.
- 11.9 Requests for grant aid from the Community Council should be made in writing to the Secretary prior to the Executive Committee meeting and the final decision agreed by the full Community Council.
- 11.10 Special or urgent requests for grant aid can be considered by the meeting at the discretion of the Chair.
- 11.11 Any grants awarded must be in compliance with the Terms and Conditions of Grant Aid.
- 11.12 Where Community grants are awarded to community organisations directly, the Community Council must obtain copies of receipts from the organisation to prove legitimate purchase.
- 11.13 Training for the role of Treasurer and other officers will be provided by Middlesbrough Council as required.
- 11.14 Middlesbrough Council requires that adequate accounts be prepared on an annual basis.
- 11.15 In the event of the Community Council discontinuing or a breach in conditions laid out in the financial guidelines occurring, all monies will be returned to Middlesbrough Council.

11.16 Middlesbrough Council auditors shall have reasonable access to the accounts.

12. **AWARDING GRANTS**

12.1 The Executive if formed shall in the first instance receive all applications for grant funding where appropriate.

12.2 The Executive shall meet at least one week before the next Community Council to consider any applications received and to make recommendations to the next Community Council.

12.3 All applications must be made on the approved application form and supported by the relevant requested information.

13. **ALTERATIONS TO THE CONSTITUTION**

13.1 Any proposed alterations to the Constitution must be made in writing to the Secretary not less than fourteen (14) days prior to the AGM. Any proposed changes must be made by agreement between Middlesbrough Council and all Community Councils.

Roles and Responsibilities

Each community council must have a Chairperson, a Treasurer and a Secretary (the office bearers) and these roles carry the most responsibility.

The office bearers, as elected members representing their local communities are responsible for the efficient and effective operation of the community council.

This doesn't mean to say that the office bearers must do all the work, but they are responsible for making sure that everything is done according to the Constitution for Community Councils.

All members of the community council are equally responsible for the community council's decisions and actions and may take on additional activities in support of the community council.

The office bearers' roles are described below, followed by an outline of other potential roles within a Community Council.

Chairperson

The chairperson is responsible for agreeing the agenda and ensuring that discussions are productive and run on-time as well as making sure that clear action points are set.

Vice Chair

Is responsible for deputising for the Chairperson when they are not able to attend meetings where they will be responsible for ensuring that discussions are productive and run on-time, and that clear action points are set. If this is a regular occurrence the role should be discussed at full community a council meeting.

Treasurer

The Treasurer is responsible for handling the community council's finances. It is his or her responsibility to ensure that the finances are kept healthy and the community council does not get into debt. They are also responsible for making sure grants are spent in a timely manner in accordance with the conditions of the grant. The Treasurer must oversee all financial administration and transactions of the community council, and make sure the community council are aware of any financial risks.

Secretary

The Secretary is responsible for ensuring the smooth running of the community council by organising meetings, setting the agenda and keeping proper minutes and records. They are also responsible for ensuring effective communication between committee members.